

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

MATTHEW L. McCARTHY (CABN 217871)
Assistant United States Attorney
450 Golden Gate Ave., Box 36055
San Francisco, California 94102
Telephone: (415) 436-7200
Fax: (415) 436-7234
E-Mail: Matthew.McCarthy@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) No. CR 09-0559 WHA
Plaintiff,)
v.)
BRIAN DAUM,) (1) NOTICE OF WITHDRAWAL OF
Defendant.) REQUEST FOR RESTITUTION;
) (2) REQUEST TO VACATE HEARING
) DATE; AND
) (3) [PROPOSED] ORDER VACATING
) HEARING DATE

NOTICE OF WITHDRAWAL OF REQUEST FOR RESTITUTION, REQUEST TO VACATE
HEARING DATE, AND ~~PROPOSED~~ ORDER RE SAME

1 At the sentencing hearing of the above-captioned matter, the Court set a restitution hearing
2 for March 23, 2010. The government contacted counsel for the victim and informed him of the
3 Court's briefing and hearing schedule. After further discussion, counsel for the victim asked the
4 government to inform the Court that the victim wishes to withdraw her request for restitution.

5 Accordingly, the government now requests that the Court vacate the restitution hearing
6 presently set for March 23, 2010.

7 DATED: March 16, 2010

Respectfully submitted,

8 JOSEPH P. RUSSONIELLO
United States Attorney

10 MATTHEW L. McCARTHY
11 /s/
Assistant United States Attorney

12

13

14 **[PROPOSED] ORDER**

15

16 In light of the victim's withdrawal of her request for restitution, the restitution hearing set for
17 March 23, 2010 is VACATED.

18 Date: March 18, 2010.

